

REMARKS

Status of Claims

Claims 1-25 are pending in the application. Claims 9, 10, 14, and 15 have been allowed. Claim 19 has been objected to. Claims 1-8, 11-13, 16-19, and 20-25 stand rejected.

Status of Drawings

The drawings have been objected to as failing to comply with 37 CFR 1.84(p)(5) because reference character 40 was not mentioned in the description. As a result, the specification has been amended at Col. 2, line 41, to include description of threaded portion 40 which is part of temperature sensor 42 as shown in Fig. 2.

Support for Claim Changes:

Claims 5-8, 11-13, 16-18, and 21-25 stand rejected under 35 U.S.C. §112, second paragraph, as being indefinite.

In the case of Claim 5, the rejection has been cured by placing in Claim 1 the step of generating a signal.

In the case of Claim 6, the rejection has been overcome by reciting a determination of a temperature difference in Claim 6.

Regarding Claims 7 and 8, Claim 6 now recites the determination and recording of a temperature difference and the rejection has therefore been overcome.

Regarding Claim 11, the determination and recording of a temperature difference is now recited in Claim 11 and this overcomes the rejection of Claim 11 and also the rejection of Claims 12 and 13, which depend ultimately from Claim 11.

Regarding Claim 16, the establishment of a temperature difference has been inserted in Claim 16 by amendment, and Claim 16 as well as Claims 17 and 18, which ultimately depend therefrom, are allowable.

Claim 20 now includes generation of a signal corresponding to an inferred engine coolant temperature, and Claims 21 and 22 are now allowable.

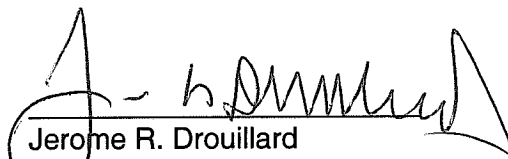
Claim 23 now sets forth the steps of determining the difference between the measured cylinder head temperature and the filtered engine coolant temperature, and recording the difference. As a result, not only Claim 23, but also Claims 24 and 25, which depend therefrom, are allowable and should be passed to issue. Such action is earnestly solicited.

Claims 1-8 and 20 stand rejected under 35 U.S.C. §101 as being directed to non-statutory subject matter. The Examiner explains that Claim 1, prior to the current amendment, failed to set forth a useful, concrete and tangible result because the claim did not recite any physical transformation to produce a tangible result. Applicants respectfully submit, however, with the amendment of Claim 1 to include the further step of generating a signal for a calculated engine coolant temperature, Claim 1 now meets the requirements of 35 U.S.C. §101 and should be passed to issue.

Further, Claim 20 as currently amended contains the limitation of generating a signal for the inferred engine coolant temperature, and as a result, Claim 20 meets muster under 35 U.S.C. §101 and should also be passed to issue.

In sum, each of the claims remaining in this case which were not previously deemed to be allowable are now allowable because the amendments contained in this response and each of Claims 1-25 should be passed to issue. Such action is earnestly solicited.

Respectfully submitted,


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